

## **REMARKS**

Claims 1-10 remain in the application for consideration of the Examiner.

Reconsideration and withdrawal of the outstanding rejections are respectfully requested in light of the following remarks.

Turning now to the art rejections, Claims 1-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Patti.

These rejections are respectfully traversed.

It is respectfully submitted that Patti does not disclose or suggest the presently claimed invention including a filter circuit to respond to the thermal asperity signal in accordance with the data rate.

The Examiner alleges that Patti discloses an offset correction circuit to correct DC offset in accordance with a data rate referring to Figure 3 element 102, Figure 2a, and column 6, lines 51-56.

Notwithstanding the allegations of the Examiner, Patti discloses at column 6, lines 51-56 that the programmed resistances of the variable resistance circuit 132 are selected to achieve the cutoff frequencies for the filter 112. The programmable thermal asperity recovery circuit 132 provides flexibility allowing utilization in read channels having potentially different or varying characteristics (citing different data rates, different causes for the thermal interference, etc.).

The resistance circuit 132 does not respond to data rates.

Patti does not a circuit to determine the data rate and consequently there is no way of adjusting the programmable thermal asperity recovery circuit based on different data rates.

Claims 1-10 patentably define over the applied art.

In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



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